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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,144	01/05/2001	Hiroshi Ueda	2000_1771A	3462

7590

10/06/2003

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EXAMINER
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ORTIZ CRIADO, JORGE L

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/754,144

Applicant(s)

UEDA ET AL.

Examiner

Jorge L Ortiz-Criado

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-13 is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Yamada et al U.S. Patent. No. 6,141,483.

Yamada et al. discloses an information recording disc having a lead-in area for recording control information for a reproducing apparatus by unevenness (See col. 7, lines 31-57; Fig. 3 ref# 22)

and a data recording area for recording user data (See col. 7, lines 31-57; ref#23),

wherein the lead-in area has recorded therein a unique identifier indicative of a disc for initializing regional control information for restricting a region enabling reproduction of the user data (See col. 7, lines 31-57; ref#22,27).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. U.S. Patent No. 6,141,483 in view of Shim U.S. Patent No. 6,608,804.

Regarding claim 1, Yamada et al. discloses an information recording disc having an area for recording control information for a reproducing apparatus (See col. 7, lines 31-57) and a data recording area for recording user data (See col. 7, lines 31-57), wherein the area includes at least one control information area (See col. 7, lines 31-57 Ref#, 22,27)

an application identifier area for identifying applications of control data (See col. 7, lines 31-57 Ref#, 22,26,27)

an application specific data area for recording the control data (See col. 7, lines 31-57 Ref#, 22,27)

But Yamada further discloses an area for data description portion but does not expressly disclose a data length area for indicating data length of the control data and fails to disclose a burst cutting area for recording the control information, by removing a reflective layer of the disc in a striped shape.

However this feature is well known in the art as evidenced by Shim, which discloses a burst cutting area, by removing a reflective layer of the disc in a striped shape for recording control information for a reproducing apparatus situated in the innermost area of the lead-in area on the disk which include an information data area in which information about the control data is

recorded such as a data length area for indicating data length of the control data and an application identifier area for identify applications of control data and (See col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15),

Therefore it would have been obvious to one with ordinary skill in the art at the time of the invention to include a burst cutting area, by removing a reflective layer of the disc in a striped shape for recording control information for a reproducing apparatus including an information data area in which information about the control data is recorded such as a data length area for indicating data length of the control data, in order to effectively, rapidly and accurately discriminating the disk by extracting the information identifier for identifying applications of control data as suggested by Shim.

Regarding claim 2, The combination of Yamada et al. with Shim would show wherein the application identifier area of the BCA control information area has recorded therein a unique identifier indicative of a disc for initializing regional control information for restricting a region enabling reproduction of the user data (See Yamada et al. col. 7, lines 31-57); (See Shim col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15).

Regarding claim 3, The combination of Yamada et al. with Shim would show wherein the application specific data area of the BCA control information area has recorded therein a disc identifier code for uniquely identifying the information recording disc (See Shim col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15)

Regarding claim 4, The combination of Yamada et al. with Shim would show wherein the application specific data area of the BCA control information area has recorded therein a identifier code capable uniquely identifying the information recording disc (See Yamada et al. col. 7, lines 31-57); (See Shim col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15)

***Allowable Subject Matter***

4. Claims 6-13 are allowed.

5. The following is an examiner's statement of reasons for allowance.

Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest either alone or in combination, an information reproducing drive for reproducing data from a removable information recording medium for recording digital contents having copyright and disc region information indicative of a specific region permitting reproduction of the digital contents, comprising: an installation region information storage means for storing installation region information for specifying a region in which the information reproducing drive is installed; a regional information setting counter which is updated each time the installation region information storage means is changed by a drive user; a manufacturer initialization counter which is updated each time the regional information setting counter is initialized by a drive manufacturer; a regional comparing means which delivers a regional coincidence signal upon detection through comparison that the disc region information read from

the information recording medium is coincident with the installation region information stored in the installation region information storage means; a reproduction control means which reproduces the digital contents from the information recording medium only when the regional comparing means has delivered the regional coincidence signal; an initialization medium decision means for deciding whether or not the loaded information recording medium is a drive manufacturer initialization medium; a regional information updating means which updates, upon receipt of a command of update of the installation region information from the drive user, the installation region information storage means and the regional information setting counter; and a manufacturer initialization means which, upon receipt of a command of drive manufacturer initialization from the drive manufacturer, initializes the regional information setting counter and updates the manufacturer initialization counter only in case the initialization medium decision means decides that the loaded information recording medium is the drive manufacturer initialization medium and a count of the manufacturer initialization counter is not an initialization limit value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's arguments with respect to claim 5 filed 07/02/2003 have been fully considered but they are not persuasive.

Applicant's response to the rejection of claim 5, as unpatentable over Yamada et al.

Applicants argued that Yamada et al. fails to disclose a lead-in area.

The examiner cannot concur because Yamada et al. clearly discloses a lead-in area for recording control information (See col. 7, lines 31-57, lead-in area #22, control area included therein #27; Fig.3)

Also applicant made acknowledge about Yamada et al.'s lead-in area teachings (See page 10 lines 13-26 of Applicant's arguments with respect to claim 1 filed 07/02/2003)

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L Ortiz-Criado whose telephone number is (703) 305-8323. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm),Alternate Fridays off.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H To can be reached on (703) 305-4827. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

joc

  
DORIS H. TO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800  
9/30/03